

### ***Remarks***

Based on the above amendments and the following remarks, Applicants respectfully request that the Examiner reconsider and withdraw the outstanding rejections.

### **Claim Status**

Upon entry of the foregoing amendments, claims 8-13, 56, and 70-75 are pending in the application, with claim 8 being the independent claim. Claims 1-7, 14-55, and 57-69 were previously cancelled. Claim 8 is currently amended in accordance with 37 C.F.R. 1.121. Support for the claim amendments can be found throughout the Specification and in the claims as originally filed. See, for example, at page 3, lines 11-15 and page 4, lines 10-14. Thus, no new matter is added by way of these amendments, and their entry is respectfully requested.

### **Rejection Under 35 U.S.C. § 102(b)**

Claims 8-13, 56 and 70-75 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Maudru *et al.*, *Journal of Virological Methods*, 66:247-261 (July 1997) ("Maudru"). Applicants respectfully traverse this rejection.

An anticipation rejection under 35 U.S.C. § 102 requires a showing that each limitation of a claim is found in a single reference, practice or device. See *Kalman v. Kimberly Clark Corp.*, 713 F.2d 760, 771 (Fed. Cir. 1983), cert. denied, 465 U.S. 1026 (1984). See also M.P.E.P. 8th ed., § 2131 (rev. 2, May 2004) ("To anticipate a claim, the reference must teach every element of the claim.").

Maudru does not teach a method that includes all of the steps encompassed by the currently presented claims. In particular, Maudru does not teach a step whereby ribonuclease treatment occurs simultaneously with nucleic acid synthesis. Thus, Maudru does not teach the present claims and, for at least this reason, Applicants respectfully request that the rejection of claims 8-13, 56 and 70-75 under 35 U.S.C. § 102(b) as being anticipated by Maudru, *et al.* be withdrawn accordingly.

### ***Conclusion***

Applicants believe that a full and complete reply has been made to the Final Office Action dated November 2, 2009 and that the pending claims are in condition for immediate allowance. If the Examiner feels for any reason that additional discussion is necessary, Applicant invites the Examiner to call the undersigned directly at the number listed below.

Date: April 30, 2010

Respectfully submitted,

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